

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF TENNESSEE

DIVISION _____

LARRY L. DURRETT Name

Prison Id. No. N/A

Name

Prison Id. No. _____

Plaintiff(s)

v.

See pg. 1 Name

Lawrence County Name

Sail

Defendant(s)

(List the names of all the plaintiffs
filing this lawsuit. Do not use "et
al." Attach additional sheets if
necessary.)

Civil Action No. 1-14 0004
(To be assigned by the Clerk's
office. Do not write in this space.)

Jury Trial ☐ Yes ☐ No

(List the names of all defendants
against whom you are filing this
lawsuit. Do not use "et al." Attach
additional sheets if necessary.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
FILED PURSUANT TO 42 U.S.C. § 1983

I. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuits in the United States District Court for the Middle District of Tennessee, or in any other federal or state court?

☐ Yes

☒ No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs _____

Defendants _____

2. In what court did you file the previous lawsuit? N/A

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom the case was assigned? N/A

5. When did you file the previous lawsuit? N/A (Provide the year, if you do not know the exact date.)

6. What was the result of the previous lawsuit? For example, was the case dismissed, appealed, or still pending? N/A

7. When was the previous lawsuit decided by the court? N/A (Provide the year, if you do not know the exact date.)

8. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit.

☐ Yes

☒ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

II. THE PLAINTIFF'S CURRENT PLACE OF CONFINEMENT (The following information must be provided by each plaintiff.)

A. What is the name and address of the prison or jail in which you are currently incarcerated? 240 WEST GAINES St.
Lawrence County Jail / Lawrenceburg TN. 38464

B. Are the facts of your lawsuit related to your present confinement?

☒ Yes

☐ No

C. If you checked the box marked "No" in question II.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain.

D. Do the facts of your lawsuit relate to your confinement in a Tennessee State Prison?

☐ Yes

☒ No

If you checked the box marked "No," proceed to question II.H.

E. If you checked the box marked "Yes" in question II.D above, have you presented these facts to the prison authorities through the state grievance procedure?

☐ Yes ☐ No

F. If you checked the box marked "Yes" in question II.E above:

1. What steps did you take? _____

2. What was the response of prison authorities? _____

G. If you checked the box marked "No" in question II.E above, explain why not. _____

H. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)?

☒ Yes ☐ No

I. If you checked the box marked "Yes" in question II.H above, have you presented these facts to the authorities who operate the detention facility?

☒ Yes ☐ No

J. If you checked the box marked "Yes" in question II.I above:

1. What steps did you take? ALERTED the C/O and
medical staff as soon as possible

2. What was the response of the authorities who run the detention facility? GIVEN
A TYLONEL AND LEFT IN S CELL UNTILL
APPROXIMATEY 27 hours Later, Then got X-RAY

L. If you checked the box marked "No" in question II.I above, explain why not. _____

Attach copies of all grievance related materials including, at a minimum, a copy of the grievance you filed on each issue raised in this complaint, the prison's or jail's response to that grievance, and the result of any appeal you took from an initial denial of your grievance.

III. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: LARRY LEE DURRETT

Prison Id. No. of the first plaintiff: N/A

Address of the first plaintiff: 240 WEST GAINES St.
Lawrence County Jail / Lawrenceburg TN. 38464
(Include the name of the institution and mailing address, including zip code.
If you change your address you must notify the Court immediately.)

2. Name of second the plaintiff: N/A

Prison Id. No. of the second plaintiff: N/A

Address of the second plaintiff: N/A

(Include the name of the institution and mailing address, including zip code.
If you change your address you must notify the Court immediately.)

If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: SHERIFF Jimmy Brown

Place of employment of the first defendant: Lawrence County
JAIL 240 WEST GAINES Lawrenceburg TN. 38464

The first defendant's address: 240 WEST GAINES St. Lawrenceburg
TN. 38464

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity" ☒ Yes ☐ No

2. Name of the second defendant: Lt. DANIEL KELLUM

Place of employment of the second defendant: Lawrence County Jail
240 WEST GAINES St. Lawrenceburg TN. 38464

The second defendant's address: 240 WEST GAINES St.
Lawrenceburg TN. 38464

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity" ☐ Yes ☐ No

If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, their place of employment, their address, and the capacity in which you are suing them. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide their proper name, place of employment, and address, the Clerk will be unable to serve them should process issue.

Plaintiff

Larry L. Durrett

pg 1

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IN CLERK'S OFFICE

JAN 14 2014

U. S. DISTRICT COURT
MID. DIST. TENN.

Defendant(s)

Sheriff Jimmy Brown

Lt Daniel Kellum

SGT Jamie Maher

Lawrence County Jail Admin.

Medical Staff

Jennifer Elam

Jennifer Harris

Misty Anderson

Statement 1-2

Witness

Thomas Patrick White
Emery Sinclair
DESA Easley

In between 1:30 - 2:00 p.m. on DEC. 12, 13 I was going up the steps when the rail pulled off the wall causing me to fall. I notified along with others C/o Brandon Graves and he took me up front to see nurse Jennifer Elam. I was given a tylenol and ice and sent back to my cell. I notified C/o Graves an hour later that it hasn't quit hurting and I needed the nurse, His reply was to wait until med pass.

So around 4 p.m. Misty Anderson (nurse) informed me to wait my turn and then on my turn she said she'd check back an hour later. About 4:56 p.m. I showed Brandon Graves (C/o) how dark black it looked and to call the nurse. His reply was he couldn't get a hold of her.

2nd shift 6:05 p.m. I asked Juan (C/o) about seeing the nurse or just someone to get my arm checked out. (I was worried and cause I did not cry I felt They didn't care) It was swelled alot, hurt like a coal of fire. I was scared it was broke

Statement 2

Around 6:15 p.m. I was taken up front to a holding cell for observation. I did not get to see any one. I only got to see the nurse (Misty Anderson) because of a fight that broke out in the library (Adam Hunt) was involved. Then the boy who got hurt was seen to by the nurse and as I was watching the nurse stopped by and gave me a tylnol and said she thought they would have gotten done earlier.

FRI DEC. 13th (DEC. 13th 2013) at 5:35 p.m. I was taken to get my arm X-rayed. I was told nothing and Sat. 14th about 3:00 p.m. I was sent back to my cell. My injury was neglected and as much as my arm hurt the more worried I was. I thought if it was broke how it would have been 27 hours before it would have been X-rayed

Monday Dec. 16 8:32 a.m. the rail was fixed. I'm still having problems with my arm.

IV. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 1/2 in. x 11 in. paper. Write on one side only, and leave a 1 in. margin on all four sides.

P.M

1:30-2:00

DEC. 12-13 I fell into the stairs due to a rail pulling off the wall. I and others notified the C/O Brandon Graves. I was taken up front just to get a tylenol and sent back to my cell. I was hurting constantly and it was only until 6:15 p.m. 2nd shift I was moved to an observation cell and didn't get taken to a doctor not once. DEC. 13, 73 I was taken and left for a X-Ray at 5:35 p.m. The whole time my arm was dark bruised and I was worried and still today it hurts with a sharp pain. I have a full detail statement wrote. My injury was neglected and the X-ray was at least 27 hours later before being done. I've enclosed a statement

They couldn't make me a copy of my Grievance now ever I still have my original

V. RELIEF REQUESTED: Specify what relief you are requesting against each defendant.

- A. Medical to take all claims serious
- B. Maintenance around Jail more often
- C. The neglect (neglect) needs to be corrected
- D. My arm could have been broke they neglected
- E. my injury.

F. I request a jury trial. ☐ Yes ☒ No

VI. CERTIFICATION

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature: Larry L. Dunnett Date: 12/31/13

Prison Id. No. N/A

Address: 240 WEST GAINES ST. Lawrenceburg
TN. 38464
(Include the city, state and zip code.)

Signature: N/A Date: _____

Prison Id. No. _____

Address: _____

(Include the city, state and zip code.)

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information listed above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN FORMA PAUPERIS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT, THE REQUIRED FILING FEE, OR APPLICATION TO PROCEED IN FORMA PAUPERIS, TOGETHER. Complaints received without the required filing fee or application to proceed *in forma pauperis* will be returned. Filing fees, or applications to proceed *in forma pauperis*, received without a complaint will be returned.

LARRY DURRETT
Lawrence County Jail
240 W. Gaines St.
Lawrenceburg, TN.
38464

CLERK, U.S. DISTRICT COURT
U.S. Courthouse, Room 800
Nashville, TN. 37203

OFFICIAL Business

